

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF CONTEL CELLULAR OF)	
KENTUCKY, INC. FOR ISSUANCE OF A)	
CERTIFICATE OF PUBLIC CONVENIENCE)	
AND NECESSITY TO CONSTRUCT AN)	
ADDITIONAL CELL FACILITY IN THE)	
KENTUCKY RURAL SERVICE AREA NO. 7)	CASE NO. 95-381
WHICH INCLUDES TRIMBLE, CARROLL,)	
GALLATIN, HENRY, FRANKLIN, OWEN,)	
GRANT, PENDLETON, HARRISON AND)	
SHELBY COUNTIES IN KENTUCKY (THE)	
EMINENCE CELL FACILITY))	

O R D E R

On September 22, 1995, the Commission received the attached letter from Thomas A. Shroyer, Mayor of the city of Eminence, regarding the proposed cellular telecommunications facility to be located on property owned by William Allen, 535 Elm Street (Kentucky Highway 22), Eminence, Henry County, Kentucky.

IT IS THEREFORE ORDERED that:

1. Contel Cellular of Kentucky, Inc. ("Contel Cellular") shall respond to Mayor Shroyer's questions by certified letter, within 10 days of the date of this Order.
2. Contel Cellular shall file a copy of the certified letter and dated receipt, within 7 days of the date on the receipt.

Done at Frankfort, Kentucky, this 27th day of September, 1995.

ATTEST:


Executive Director

PUBLIC SERVICE COMMISSION


For the Commission

TOM SHROVER
MAYOR
SANDRA A. DOANE
CITY CLERK/TREASURER

CITY OF
EMINENCE
FOUNDED 1851

WILLIAM W. SMITH
PUBLIC WORKS DIRECTOR
BILL HUDSON
POLICE CHIEF

RECEIVED

September 19, 1995

SEP 22 1995

Executive Director's Office
Public Service Commission of Kentucky
P.O. Box 615
Frankfort, Kentucky 40602

PUBLIC SERVICE
COMMISSION

RE: Case No. 95-381/Contel Cellular of Kentucky, Inc.

To Whom It May Concern:

The City of Eminence, Kentucky has received notification from counsel for Contel Cellular of Kentucky, Inc. that application has been made for a certificate of public convenience and necessity to operate and construct a new cell facility for cellular radio telecommunication service. The application calls for this facility to be located either within or in close proximity to the city limits of the City of Eminence, Kentucky. By this letter, the City of Eminence, Kentucky expresses its disapproval and opposition to the present location for the facility. The reasons for the City's objections are as follows:

1. The tower is proposed to be placed in an area that is in close proximity to both residential and business districts of the City of Eminence. This is an area that is likely to see further residential and business development. Such residential and business development would be adversely affected by location of this tower at the proposed site.

2. The tower is proposed to be placed in an area that is in close proximity to other businesses and public entities that depend upon radio communications. The location of this tower at the proposed site would have an adverse effect on the ability of these businesses and public agencies to depend upon their radio communications facilities as they now exist.

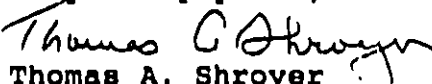
3. The City is advised that there is another telecommunications tower proposed for location near the Eminence City limits. Although the City has received no formal notification or right to object, such towers are not properly located in or near densely populated areas such as the City of Eminence and are better placed outside of city limits for multiple reasons including the health and welfare of the citizenry, the negative impact on existing communications and on business development and for other aesthetic and substantive reasons.

4. Placement of a tower at the present location would

have a negative impact on property values in the areas of Eminence adjacent to this development.

As Mayor of the City of Eminence, I can fairly state that we always try to encourage development in and near our town. Cellular phones play a valuable role in any community and it is recognized that a cellular tower in this area would be beneficial to the citizens. However, the proposed location is one that is inappropriate and would have many negative impacts upon the citizens of Eminence, Kentucky. Thank you for the opportunity to express these concerns on behalf of the City of Eminence, Kentucky.

Very truly yours,


Thomas A. Shroyer
Mayor, City of Eminence

TAS/dbk

ref: 001.10